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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/468,437	06/06/95	HODA	T 3408/589

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EXAMINER

NGUYEN, H

ART UNIT	PAPER NUMBER
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2712

DATE MAILED: 08/18/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
08/468,437

Applicant(s)
Hoda et al

Examiner
HUY NGUYEN

Group Art Unit
2712



☒ Responsive to communication(s) filed on Jun 7, 1999.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 20-25 and 31-46 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 20-25 and 31-46 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Double Patenting

1. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321© may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

2. Claims 31-32 and 37 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 15 of copending Application No. 08/294,883. Although the conflicting claims are not identical, they are not patentably distinct from each other because the difference between claims 31-32 and 37 of the present application and claim 15 of the copending application No. 08/294,883. is that claims 15 of the copending application No. 08/294,883 does not recite that the thus first removable medium is a removable memory card as recited claim 31 of the copending application No. 08/294,883.. However, it is noted that using a memory card as a memory for storing the image information is well known in the art. Therefore it would have been obvious to one of ordinary skill in the art to provide a

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memory card as an memory for the image and a printer for printing the image to claims 15 of the copending application No. 08/294,883. to produce claims 31-32 and 37 of the present application.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 U.S.C. § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 23 and 38 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Takei et al (5,202,798) in view of Kinoshita et al (4,897,732).

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Regarding claims 23 and 38, Takei discloses a camera apparatus (Figs 1 and 6) comprising:

a camera body (10);

an image device (8,9,10);

first memory (1) and second memory (44) for storing image information from the image device);

changing means (50) for selectively changing between a first condition (moving image condition) for reading out the image from the first storing means (23), and a second condition for reading out the image stored in the second memory means , the image of the first condition and the image of the second condition is supplied to a receiver at terminal 46.

Takei fails to specifically teach that the receiver is a reproduction device . However, it is noted that using a reproduction device as an monitor to reproduce the image signal supplied thereto is well known in the art as taught by Kinoshita . Therefore it would have been obvious to one of ordinary skill in the art to modify Takei with Kinoshita by using a monitor as a reproduction device for receiving the image signal form the first memory and second memory for reproducing and displaying the image .

Takei fails to specifically teach a finder for find the image object. However, it is noted that using a finder for a camera is well known in the art. Therefore it would have been obvious to

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one of ordinary skill in the art to modify Takei by using a finder for the camera for finding the image object thus provide more convenience to the user when catching the image to be recorded.

5. Claims 20-22 , 33 and 43-44 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Takahashi view of Sasaki .

Regarding claims 23-25,38, and 43-46, Takahashi discloses a camera apparatus (Fig 1) comprising:

- a camera body (10);

- an image device (110);

- first memory (36 or 58) and second memory (40) for storing image information from the image device (column 11 and column 15, lines 1-30);

- recording means and reproducing means (50) and (25) for recording and reproducing the image information (column 11 and column 15, lines 1-30);

- changing means (22, 128) for changing between a first condition (memory size which is selected by user) to storing the image form picked up by image device to the first memory , and in a second condition to store the image pickup from image device to the second memory based a detected condition of one of the first and second memory (the controller 120 detects the condition of the memories from the user)(column 3, lines 60-column 4, line 5, column 5, line 50-60, column 6, lines 1-12).

Takahashi fails to teach that the first memory is a semiconductor memory.

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However, it is noted that employing a semiconductor memory device such as an IC card device which is detachable from a camera unit and the memory of SRAM kind for storing image signals and semiconductor memory reproducing means for reproducing image signals in order to reduce the size of the overall apparatus is well known in the art as taught by Sasaki et al (column 7, lines 60-65). Therefore, it is obvious to one of ordinary skill in the art to modify Takahashi with Sasaki by providing the apparatus of Takahashi with the semiconductor memory of SRAM kind as taught by Sasaki et al as an alternate first memory or second memory of Takahashi apparatus in order to reduce the size of the overall apparatus.

Regarding claim 33, Takei fails to specifically teach a finder for find the image object. However, it is noted that using a finder for a camera is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art to modify Takei by using a finder for the camera for finding the image object thus provide more convenience to the user when catching the image to be recorded.

6. Claims 23-25, 38-42 and 45 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Takahashi view of Sasaki and Kinoshita (4,897,732).

Regarding claims 23-24,38 and 40-41 , Takahashi discloses a camera apparatus (Fig 1) comprising:

a camera body (10);

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first memory (36 or 58) and second memory (40) for storing image information from the image device (column 11 and column 15, lines 1-30);

recording means and reproducing means (50) and (25) for recording and reproducing the image information (column 11 and column 15, lines 1-30);

changing means (22, 128) for changing between a first condition (memory size which is selected by user) to storing the image form picked up by image device to the first memory , and in a second condition to store the image pickup from image device to the second memory based a detected condition of one of the first and second memory (the controller 120) detect the condition of the memories from the user)(column 3, lines 60-column 4, line 5, column 5, line 50-60, column 6, lines 1-12).

Takahashi fails to teach that the first memory is a semiconductor memory.

However, it is noted that employing a semiconductor memory device such as an IC card device which is detachable from a camera unit and the memory of SRAM kind for storing image signals and semiconductor memory reproducing means for reproducing image signals in order to reduce the size of the overall apparatus is well known in the art as taught by Sasaki et al (column 7, lines 60-65). Therefore, it is obvious to one of ordinary skill in the art to modify Takahashi with Sasaki by providing the apparatus of Takahashi with the semiconductor memory of SRAM kind as taught by Sasaki et al as an alternate first memory or second memory of Takahashi apparatus in order to reduce the size of the overall apparatus.

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Further for claims 23, 38, 40 and 45, Takahashi as modified with Sasaki fails further teach means for reading image form the first and second memory (See Sasaki) but fails to teach a selecting means for supply image to a reproducing device . However, it is noted reading the using a selecting means for selecting the image for selecting the image form different source to output to a reproduction device is well known in the art as taught by Kinoshita (Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art to modify Takahashi as modified with Sasaki by using a selecting means as taught by Kinoshita for selectively outputting the image from the first memory or second memory to the reproducing device for viewing the selected image .

Regarding claims 35 , 39 and 42, Takahashi fails to specifically teach a finder for finding the object image . However, it is noted that using a finder for a camera is well known in the art. Therefore it would have been obvious to one of ordinary skill in the art to modify Takahashi by using a finder for the camera for finding the image object thus provide more convenience to the user when catching the image to be recorded.

7. Claim 34 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Sasaki as applied to claims 20 above, further in view of Finelli.

Takahashi as modified with Sasaki fails to specifically teaches the use of a printer for the camera as recited in claim 36. However, it is noted that using a printer for making a copy of the

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image is well known in the art as taught by Finelli (See Finelli, Figs. 1 and 3). Therefore, it would be obvious to one of ordinary skill in the art to modify Takahashi with Finelli by providing a printer as taught by Finelli into the camera apparatus of Takahashi as modified with Sasaki in order to provide a copy of the selected select image to the user.

8. Claim 36 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Sasaki and Kinoshita applied to claims 23 above, further in view of Finelli.

Takahashi as modified with Sasaki fails to specifically teach the use of a printer for the camera as recited in claim 36. However, it is noted that using a printer for making a copy of the image is well known in the art as taught by Finelli (See Finelli, Figs. 1 and 3). Therefore, it would be obvious to one of ordinary skill in the art to modify Takahashi with Finelli by providing a printer as taught by Finelli into the camera apparatus of Takahashi as modified with Sasaki in order to provide a copy of the selected select image to the user.

9. Claim 46 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Takahashi in view of Sasaki and Kinoshita applied to claims 23 above, further in view of Orii.

Takahashi as modified with Sasaki and Kinoshita fails to specifically teach that the reproduction device is with the camera body. However, it is noted that incorporation a reproduction device for displaying images within a camera body is well known in the art as taught by Orii (Fig.3, column 6, lines 39-47). Therefore it would have been obvious to one of

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ordinary skill in the art to modify Takahashi as modified with Sasaki and Kinoshita with Orii by installing a reproducing device as taught of Orii with the camera body in order to provide more convenience the user when viewing the image .

10. Claims 31 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lang in view of Sasaki et al.

Lang discloses an editing apparatus for comprising:

a first reception unit for receiving a memory (13)(column 6, lines 1-20).

a second reception unit (11) for receiving an optical disc (column 3, lines 58 to column 4, line 16);

signal processing means (26) for expanding the compressed image signal from the memory (column 9, lines 20-30);

recording and reading means for recording and reading the expanded image signal on and from the optical disc (column 3, lines 58-62, column 9, lines 1-68).

Lang further teach that the memory is a semiconductor (SRAM) but fails to teach that the memory is a memory card (column 6, lines 1-20).

However, it is noted that using a memory as a memory card for recording image signal and reception unit to enable the memory can be remove from a apparatus is well known in the art as shown by Sasaki.

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It would have been obvious to one of ordinary skill in the art to modify Lang with Sasaki by providing a memory card and a reception unit of the memory card as taught by Sasaki into the apparatus of Lang as an alternate memory of Lang and incorporate a reception unit to enable the memory card can be received and removed from the apparatus in order to reduce the size of the overall apparatus and easily replace the memory card.

Further for claim 31, Lang as modified with Sasaki teach that the image information is produced by a camera (image device)(See Lang and Sasaki references).

11. Claim 32 rejected under 35 U.S.C. 103(a) as being unpatentable over Lang in view of Sasaki as applied to claim 31 above, and further in view of Watanabe.

Lang fails to specifically teach that the image signal is compressed in a DCT manner. However, it is noted that expanding a compressed image signal in a DCT manner is well known in the art as shown by Watanabe (Fig. 2, column 5, lines 27-35). Therefore, it would have been obvious to one of ordinary skill in the art to modify Lang with Watanabe by providing apparatus of Lang with a DCT compressing and expanding as taught by Watanabe to compress and expand the image signals in order to improve the quality of the image signal

Response to Arguments

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12. Applicant's arguments filed June 7, 1999 have been fully considered but they are not persuasive.

In Remarks, applicants argue that Lang as modified with Sasaki fails to teach a plurality of removable memories . In response, it is submitted that the proposed combination of Lang and Sasaki does teach a plurality of removable memories since Lang teach a editing which comprises a plurality of memories and Sasaki teaches the use of a removable memory card having a reception unit . Therefore, the combination of Lang and Sasaki would teach the memories of Lang as modified with Sasaki are removable having reception units in the apparatus . Furthermore, Lang teaches a processor (26) for expanding the compressed image signal.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Nguyen whose telephone number is (703) 305-4775. The examiner can normally be reached on Monday to Friday from 6:30AM to 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber, can be reached on (703) 305-4929.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

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or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5399, (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to **Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist)**.

H.N


HUU NGUYEN
PRIMARY EXAMINER

August 15, 1999